REMARKS

With this response, claims 1 and 20 are amended and claim 2 is canceled. Claims 1 and 3-24 remain pending in the application for consideration.

The specification has been amended to correct an obvious error on page 1 of an extraneous digit in the serial number of the provisional application to which this application claims priority. It is noted that the provisional serial number was correctly identified on the transmittal letter of this application, and correctly appears on the filing receipt of this application. No formal correction of Patent Office records is therefore believed to be required.

The specification further has been amended at page 9, lines 12-23; page 10, lines 22-27; and page 10, lines 28 through page 11, line 6 to provide uniform usage of language with respect to reference numerals 12 and 20. Basis for these amendments is evident from inspection of these portions of the description, and original recitation of the identity of these reference numerals. In view of these amendments, it is respectfully submitted that no amendment of the Drawings is necessary.

Claim 1 has been amended to recite the specific thickness of the flexible foam layer. Antecedent basis for this amendment is located in original claim 2, which is cancelled. Claim 20 has been amended to delete an obvious typographical error.

It is respectfully submitted that no new matter is being added by this amendment.

Reconsideration and allowance of the claims in light of the following remarks are respectfully requested.

DRAWINGS

The drawings have been objected to because reference numbers 12 and 20 designated a plurality of features. The specification has been amended to correct this error. It is respectfully submitted that no change to the drawing is necessary due to the correction of the specification.

Claim Objections

Claims 18-21 have been objected to, with the indication in the Office Action that these claims should be written in independent form. Because the claims from which claims 18-21 depend have been placed in condition for allowance, it is respectfully submitted that presentation of these claims in independent form is not necessary.

Claim Rejections – 35 USC 112

Claims 20 and 21 have been rejected under 35 USC 112, second paragraph as being indefinite. Claim 20 has been amended to delete the extraneous "1" appearing in the preamble of the claim. It is respectfully submitted that this amendment overcomes the objection to these claims.

Claim Rejections – 35 USC 102

Claims 1, 15-17, 20 and 21 have been rejected under 35 USC 102(a) as being anticipated by Schonenbach et al (2003/0052510).

Schonenbach discloses a foldable convertible top having an outer foil having an inner face, and a foam-plastic core layer bonded over the entire bonding-foil inner face and itself having an inner face. The foam core layer is disclosed to have "a Shore D hardness of about 40 and is formed with at least one inwardly open groove so that the cover can fold readily along the groove. The core layer is 7 mm to 8 mm thick but is only about 2 mm thick at the groove." See paragraph 0012.

The present claims have been amended to incorporate the limitation of claim 2 in all of the claims. Claim 2 was not rejected in view of prior art in the outstanding Office Action. All of the claims now require that the flexible foam layer of the soft cover top has a thickness of from about 0.5 to about 1.5 mm. Because the foam core layer of Schonenbach is thicker than the foam layer as presently claimed, it is respectfully submitted that the present claims are not anticipated by Schonenbach.

CONCLUSION

In view of the amendments and remarks provided herein, Applicants believe that all of the pending claims are in condition for allowance, and respectfully request notification thereof. In the event that a phone conference between the Examiner and the Applicants' undersigned attorney would help resolve any remaining issues in the application, the Examiner is invited to contact the attorney at (651) 275-9811.

Respectfully Submitted,

Dated: September 8, 2004

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